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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,995	07/26/2001	Michael Wayne Brown	AUS920010397US1	1116

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EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/915,995

Applicant(s)

BROWN ET AL.

Examiner

Ramy M Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☒ Claim(s) 1,12,23 and 37-40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The specification is objected to because an update of page 1 is necessary to indicate the referred to patent applications.

Claim Objections

2. A series of singular dependent claims is permissible in which a dependent claim refers to a preceding claim which, in turn, refers to another preceding claim.

A claim which depends from a dependent claim should not be separated by any claim which does not also depend from said dependent claim. It should be kept in mind that a dependent claim may refer to any preceding independent claim. In general, applicant's sequence will not be changed. See MPEP § 608.01(n).

- Claims 37-40 depend on claim 1 and should not be separated from claim 1 by claims 12-36.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1,12 and 23 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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- a. Line 10 is unclear and should be rewritten to a variation of: "sending user who is from among a plurality of users".
- b. Line 14, "for each separate receiving user" is unclear and should be rewritten to a variation of: "for each separate sending user", to maintain consistency within the claim.
- c. Lines 16 and 17 is unclear language and should be rewritten to particularly point out what the applicant means.

5. Claims 1,12 and 23 recites the limitation "receiving user" in page 1 line 14. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-59 rejected under 35 U.S.C. 102(e) as being anticipated by Law (US Patent No 6,690,773).

8. In reference to claims 1,12 and 23, Law teaches a method, a system, and a program respectively for specifying messaging session outputs, comprising the steps of:

receiving a message entry associated with a particular topic from among a plurality of available topics from a separate sending user from among a plurality of users participating in a messaging session (Abstract); and

assigning output attributes said message entry for each separate receiving user from among said plurality of users according to a plurality of receiving user specified output preferences for said particular topic each associated with one from among each said separate receiving user participating said messaging session, such that output said message entry uniquely received by each said separate receiving user (Summary and column 6 lines 30-65).

9. In reference claims 2,13 and 24, Law teaches a method, a system, and a program respectively for specifying messaging session outputs according to claims 1,12 and 23 respectively, said method further comprising the step of: receiving said message entry at a messaging server communicatively connected via a network to a plurality messaging systems accessible to said plurality of users (column 3 lines 20-25 & 59-63).

10. In reference to claims 3 and 14, Law teaches a method, a system, and a program respectively for specifying messaging session outputs according to claims 1,12 and 23 respectively, said step of assigning output attributes said message entry further comprising the step of: assigning output attributes to said message entry according to channel options for said messaging session (column 4 lines 20-65 & 54-65).

11. In reference to claims 4,15 and 25, Law teaches a method, a system, and a program respectively for specifying messaging session outputs according to claims 1,12 and 23 respectively, said step of assigning output attributes said message entry further comprising the step of: assigning a distinguishable graphic to said message entry according to a separate

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receiving user specified output preference from among said plurality of receiving user specified output preferences (column 4 lines 54-65).

12. In reference to claims 5,16 and 26, Law teaches a method, a system, and a program respectively for specifying messaging session outputs according to claims 1,12 and 23 respectively, said step of assigning output attributes to said message entry further comprising the step of: assigning a distinguishable font said message entry according to a separate receiving user specified output preference from among said plurality of receiving user specified output preferences (column 4 lines 54-65).

13. In reference to claims 6,17 and 27, Law teaches a method, a system, and a program respectively for specifying messaging session outputs according claims 1,12 and 23 respectively, said step of assigning output attributes to said message entry further comprising the step of: assigning a particular graphical window display said message entry according to a separate receiving user specified output preference from among said plurality of receiving user specified output preferences (column 4 lines 54-65).

14. In reference to claims 7,18 and 28, Law teaches a method, a system, and a program respectively for specifying messaging session outputs according claims 1,12 and 23 respectively, said step of assigning output attributes to said message entry further comprising the step of: assigning a particular sound to said message entry according separate receiving user specified output preference from among said plurality of receiving user specified output preferences (column 4 lines 54-65).

15. In reference to claims 8,19 and 29, Law teaches a method, a system, and a program respectively for specifying messaging session outputs according claims 1,12 and 23 respectively,

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said step of assigning output attributes to said message entry further comprising the step of:
assigning a particular style comprising multiple output attributes to said message entry according to separate receiving user specified output preference from among said plurality receiving user specified output preferences (column 4 lines 54-65).

16. In reference to claims 9,20 and 30, Law teaches a method, a system, and a program respectively for specifying messaging session outputs according claims 1,12 and 23 respectively, said step of assigning output attributes to said message entry further comprising the step of:
assigning said output attributes said message entry according a separate receiving user specified output preference based on a device utilized a user associated with said separate receiving user specified output preference from among said plurality of receiving user specified output preferences (column 5 line 45 – column 6 line 15).

17. In reference to claims 10,21 and 31, Law teaches a method, a system, and a program respectively for specifying messaging session outputs according claims 1,12 and 23 respectively, said step of assigning output attributes to said message entry further comprising the step of:
assigning said output attributes distinguish between said plurality topics within a channel of said messaging session (column 4 line 60 – column 5 line 15).

18. In reference to claims 11,22 and 32, Law teaches a method, a system, and a program respectively for specifying messaging session outputs according claims 1,12 and 23 respectively, said step of assigning output attributes to said message entry further comprising the step of:
assigning said output attributes distinguish between said plurality users within a channel of said messaging session (column 5 line 45 – column 6 line 15).

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19. In reference to claims 33-35, Law teaches a method, system and program respectively for organizing messaging sessions, said method comprising the steps of:

receiving a request a new topic from a particular user from among a plurality of users participating a particular channel of a messaging session (Summary); and

in response to approving said new topic, updating a plurality of topic options for said particular channel of said messaging session to said plurality of users participating said particular channel, such that said new topic is selectable by said plurality of users in association with a message entry (column 1 lines 53-65 and column 5 lines 8-15).

20. In reference to claims 36,41 and 46, Law teaches a method, system and program respectively for controlling messaging outputs in a messaging session, said system comprising:

a client messaging system communicatively connected to a network (column3 lines 20-67);

said client messaging system further comprising:

means for receiving a plurality of message entries each associated with a particular topic from among a plurality of topics within a particular channel messaging session (Abstract); and

means for controlling output of said plurality of message entries according to output attributes assigned to said plurality of message entries for a particular user to distinguish according to a receiving user's preferences between said plurality of topics, such that output of said plurality of message entries according to topic distinguished according to a user receiving said plurality message entries (Summary and column 6 lines 30-65).

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21. In reference to claims 37,42 and 47, Law teaches a system controlling messaging outputs in a messaging session according to claim 41, said means for controlling output of said plurality of message entries according to output attributes further comprising: means for controlling output of said plurality of message entries according to an assigned graphical output attribute (column 3 lines 20-25 & 59-63).

22. In reference to claims 38,43 and 48, Law teaches a system for controlling messaging outputs a messaging session according claim 41, said means controlling output of said plurality of message entries according to output attributes further comprising: means for controlling output said entries according to an assigned audible plurality of message output attribute (column 4 lines 54-65).

23. In reference to claims 39,44 and 49, Law teaches a system for controlling messaging outputs messaging session according to claim 41, said means for controlling output of said plurality of message entries according to output attributes further comprising: means for controlling output said plurality of message entries to distinguish between said plurality users (column 4 lines 54-65).

24. In reference to claims 40,45 and 50, Law teaches a the system for controlling messaging outputs a messaging session according claim 41, said means controlling output said plurality of message entries according to output attributes further comprising: means for controlling output said plurality of message entries in distinguishable graphical interfaces according said plurality of topics (column 4 lines 54-65).

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25. In reference to claims 51,53 and 55, Law teaches a method, system and program respectively for enabling topic selection within a messaging system, said method comprising steps of:

displaying a plurality of selectable topics available for selection in association with a message entry prior to distribution (Summary and column 6 lines 30-65);

receiving a selection from among said plurality of selectable topic by a sending user participating in a messaging session (column 6 lines 30-65); and

assigning a particular topic associated with said selection from among said plurality of selectable topics a message entry prior to distribution of said message entry to at least one other user participating said messaging session (column 6 lines 30-65).

26. In reference to claims 52,54 and 56, Law teaches the method, system and program respectively for enabling topic selection within a messaging system according to claim 51, said method further comprising the step of: displaying said plurality selectable topics each with a separate graphical attribute also utilized distinguishably display a selection of message entries received with assignments each of said plurality of selectable topics (column 6 lines 30-65).

27. In reference to claims 57-59, Law teaches a method, system and program respectively for specializing outputs in a messaging system, said method comprising the steps of:

enabling selection of output preferences for output received message entries within a messaging session according any one of a topic, a user, and a device (Summary and column 6 lines 30-65); and

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distinguishing said output of said received message entries according said output preferences by utilizing unique variation in any one color, a font, a style, audio (column 4 lines 54-65).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
November 11, 2004


SALEH NAJJAR
PRIMARY EXAMINER